

## DECLARATION FOR PATENT APPLICATION

Docket # 7310

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MICROSCOPIC BATTERIES FOR MEMS SYSTEMS

(check one)   x   is attached hereto  
       was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_,  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

			Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Mo./Yr. Filed)		
_____ (Number)	_____ (Country)	_____ (Day/Mo./Yr. Filed)	Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Mo./Yr. Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) listed below and, insofar as the subject matter of each claim of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(s) which occurred between the filing date of this prior application and the national or PCT international filing date of this application.

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Patented, Pending, Abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Patented, Pending, Abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Mr. Lynn G. Foster, Registration No. 21,189 and Mr. L. Grant Foster, Registration No. 33,236.

Address all phone calls to Lynn G. Foster or L. Grant Foster (801) 364-5633.

Address all correspondence to:

Lynn G. Foster  
L. Grant Foster  
FOSTER & FOSTER L.C.  
602 East 300 South  
Salt Lake City, Utah 84102

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of  
first inventor

RODNEY M. LAFOLLETTE, PH.D.

Inventor's signature

*Rodney M. LaFollette*

Date 9 March, 1998

Residence

Provo, Utah

Citizenship: USA

Post Office Address: 4724 Brentwood Circle, Provo, Utah 84604

Full name of  
second inventor

LINTON G. SALMON, PH.D.

Inventor's signature

*Linton G. Salmon*

Date 3/9/98

Residence

Provo, Utah

Citizenship: USA

Post Office Address: 3819 N. Little Rock Dr., Provo, Utah 84604

Full name of  
second inventor

JOHN N. HARB

Inventor's signature

*John N. Harb*

Date 3/9/98

Residence

Orem, Utah

Citizenship: USA

Post Office Address: 1674 North 110 West, Orem, Utah 84057

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR**

Docket Number (Optional)  
7310

Applicant or Patentee: RODNEY M. LAFOLLETTE, PH.D., et al.

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: FILED HEREWITH

Title: MICROSCOPIC BATTERIES FOR MEMS SYSTEMS

As below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

I have not assigned, granted, conveyed or licenses and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ No such person, concern, or organization exists.  
☒ Each such person, concern or organization is listed below.

Bipolar Technologies Corporation, 4724 N. Brentwood Circle, Provo, Utah 84604

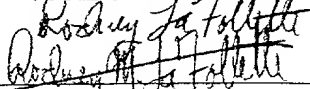
Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

RODNEY M. LAFOLLETTE, PH.D.

NAME OF INVENTOR

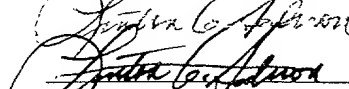
  
Signature of inventor

9 March 1998

Date

LINTON G. SALMON, PH.D.

NAME OF INVENTOR

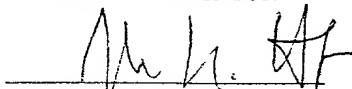
  
Signature of inventor

3/9/98

Date

JOHN N. HARB

NAME OF INVENTOR

  
Signature of inventor

3/9/98

Date

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Docket Number (Optional)  
7310

Applicant or Patentee: RODNEY M. LAFOLLETTE, PH.D., et al.  
Serial or Patent No.: \_\_\_\_\_  
Filed or Issued: FILED HEREWITH  
Title: MICROSCOPIC BATTERIES FOR MEMS SYSTEMS

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Bipolar Technologies Corporation  
ADDRESS OF SMALL BUSINESS CONCERN: 4724 Brentwood Circle  
Provo, Utah 84604

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.  
☐ each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Rodney M LaFollette  
TITLE OF PERSON IF OTHER THAN OWNER: President  
ADDRESS OF PERSON SIGNING: 4724 Brentwood Circle  
Provo, Utah 8464

SIGNATURE \_\_\_\_\_

*Rodney LaFollette*

DATE \_\_\_\_\_

9 March 98

## CONFIRMATORY INSTRUMENT

1. NAME OF CONTRACTOR Bipolar Technologies Corporation		2. CONTRACT NUMBER F29601-96-C-0078 F33615-96-C-2674	
3. TITLE OF INVENTION Microscopic Batteries for MEMS Systems			
4. NAME OF INVENTOR(S) Rodney M. LaFollette, Linton G. Salmon and John N. Harb			
5. SERIAL NUMBER 09/037,801		6. FILING DATE March 10, 1998	

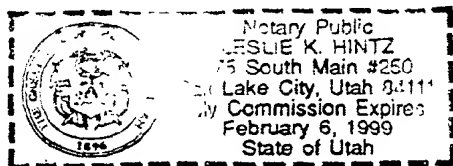
The invention identified above is a "Subject Invention" under Patent Rights Clause,

F29601-96-C-0078 (identify clause by title and date) included in  
Contract No. F33615-96-C- with Department of Air Force  
2674  
(specify Government agency).

This document is confirmatory of the paid-up license granted to the Government under this contract in this invention, patent application and resulting patent, and of all other rights acquired by the Government by the referenced clause.

The Government is hereby granted an irrevocable power to inspect and make copies of the above-identified patent application.

(SEAL)



SUBSCRIBED and SWORN TO before me  
this 26th day of April, 1998.

ATTEST

BY (Signature of Contractor)

Rodney M. LaFollette, President

TITLE OF CONTRACTOR

Bipolar Technologies Corporation

BUSINESS ADDRESS

4724 Brentwood Circle  
Provo, Utah 84604

# SUPPLEMENTAL DECLARATION FOR PATENT APPLICATION

Docket # 7310

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MICROSCOPIC BATTERIES FOR MEMS SYSTEMS.

(check one)        is attached hereto  
  X   was filed on March 10, 1998 as Application Serial No. 09/037,801, and was  
amended on March 30, 1998 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed	
			Yes	No
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Mo./Yr. Filed)		
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Mo./Yr. Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each claim of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(s) which occurred between the filing date of this prior application and the national or PCT international filing date of this application.

<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Patented, Pending, Abandoned)
<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Patented, Pending, Abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Mr. Lynn G. Foster, Registration No 21,189 and Mr. L. Grant Foster, Registration No 33,236.

Address all phone calls to Lynn G. Foster or L. Grant Foster (801) 364-5633.

Address all correspondence to:

Lynn G. Foster  
L. Grant Foster  
FOSTER & FOSTER L.L.C.  
602 East 300 South  
Salt Lake City, Utah 84102

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole  
or first inventor:

RODNEY M. LAFOLLETTE, PH.D.

Inventor's signature

Rodney LaFollette

Date

3 Apr 00

Residence:

Provo, Utah

Citizenship: USA

Post Office Address: 4724 Brentwood Circle  
Provo, UT 84604

Full name of  
second inventor:

LINTON G. SALMON, PH.D.

Inventor's signature

Linton G. Salmon

Date

10 APRIL 00

Residence:

Shaker Heights, Ohio

Citizenship: USA

Post Office Address: 22000 Shelburne Rd.  
Shaker Heights, OH 44122

Full name  
of third inventor:

JOHN N. HARB

Inventor's signature

John N. Harb

Date

3 Apr 00

Residence:

Orem, Utah

Citizenship: USA

Post Office Address: 1674 North 100 West  
Orem, UT 84057

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## ASSIGNMENT

We, Rodney M. LaFollette of 4724 Brentwood Circle, Provo, Utah, 84604, Linton G. Salmon of 3819 N. Little Rock Drive, Provo, Utah 84604, and John N. Harb of 1674 North 110 West, Orem, Utah, 84057, have invented MICROSCOPIC BATTERIES FOR USE IN MEMS SYSTEMS hereinafter called the 'invention.'

Preferred embodiments of said invention are disclosed in a United States Patent Application heretofore executed by us and now identified as File No. 7310 of Lynn G. Foster, Patent Attorney, (U.S. Patent Office Registration No. 21,189), and filed in the United States Patent Office as SerialNo. 09/037.801 on March 10, 1998.

The Assignee, BIPOLAR TECHNOLOGIES CORPORATION, desires to secure the entire right, title, and interest in said invention.

In consideration of \$1.00 and other good and valuable consideration paid to us by the Assignee, the receipt and sufficiency of which We hereby acknowledge, We HEREBY ASSIGN TO THE ASSIGNEE:

The entire right, title, and interest in said invention and in the above-identified United States Patent Application and in all corresponding applications filed in a receiving office of the Patent Cooperative Treaty (PCT) and in regions and countries foreign to the United States, and in all patents issuing thereon in the United States and foreign countries.

The right to file, prosecute, and exclusively own all PCT and foreign patent applications on said invention in its own name, wherever such right may be legally exercised, including the right to claim the benefits of the International Convention and the PCT for such applications and to file, prosecute, and exclusively own all regional applications relating to the invention.

We hereby authorize and request the United States Commissioner of Patents and such Patent Office officials in foreign countries as are duly authorized by their patent laws to issue patents, to issue any and all patents on said invention to the Assignee as the owner of the entire interest, for the sole use and benefit of the said Assignee, its successors, assigns, and legal representatives.



## ASSIGNMENT

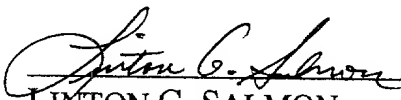
We hereby agree, without further consideration and without expense to us, to sign all lawful papers and to perform all other lawful acts which the Assignee may request of us to make this Assignment fully effective, including, by way of example but not of limitation, the following:

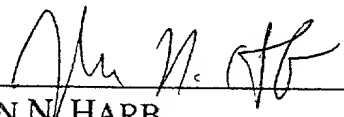
Prompt execution of all original, divisional, substitute, reissue, and other United States, PCT, and foreign patent applications on said invention, and all lawful documents requested by the Assignee to further the prosecution of any of such patent applications.

Cooperation to the best of my ability in the execution of all lawful documents, the production of evidence, and the giving of testimony in interference, opposition, nullification, reissue, extension, infringement, or like proceedings involving said invention in any country.

This Assignment and agreement shall be binding upon our heirs and legal representatives.

  
\_\_\_\_\_  
RODNEY M. LAFOLLETTE

  
\_\_\_\_\_  
LINTON G. SALMON

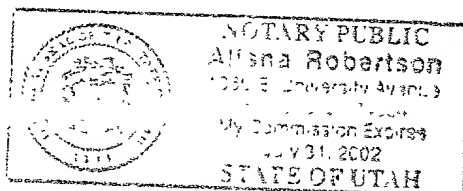
  
\_\_\_\_\_  
JOHN N. HARB

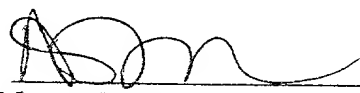
STATE OF UTAH )

: ss.

COUNTY OF Salt Lake Utah )

On December 17, 1998, before me personally appeared RODNEY M. LAFOLLETTE, LINTON G. SALMON, AND JOHN N. HARB, known to me to be the persons described and who signed the annexed Assignment in my presence and acknowledged under oath before me that they have read the same and know the contents thereof and that they executed the same as their free act and deed and for the purposes set forth therein.



  
\_\_\_\_\_  
Notary Public